

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,	)	
	)	8:05CR69
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
ALI ADBULLAH and	)	
KADHIM ABDULLAH,	)	
	)	
Defendants.	)	

This matter is before the court on the motion to continue trial by defendant Ali Abdullah, (Filing No. 17). Ali Abdullah seeks a continuance of the trial to June 27, 2005. Ali Abdullah's counsel represents that government's counsel has no objection to the request and that Ali Abdullah will submit an affidavit in accordance with paragraph 9 of the progression order whereby Ali Abdullah consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted as set forth below, and trial will be continued as to both defendants until July 5, 2005.

**IT IS ORDERED:**

1. Ali Abdullah's motion to continue trial (Filing No. 17) is granted as set forth below.
2. Trial of this matter is scheduled for **July 5, 2005**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 18, 2005 and July 5, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 18h day of April, 2005.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge